## THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

**Before Commissioners:** 

Mark Sievers, Chairman Thomas E. Wright

Shari Feist Albrecht

In the Matter of the Notice and Application of	)	
Westar Energy, Inc. and Kansas Gas and	)	
Electric Company for a Limited Waiver of a	•	Oocket No. 13-WSEE-144-TAR
Billing Standard Related to Registered Meter	,	
Readings.	j	

# ORDER GRANTING INTERVENTION TO CITIZENS' UTILITY RATEPAYER BOARD

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised in the premises, the Commission finds as follows:

- 1. On August 17, 2012, Westar Energy, Inc. and Kansas Gas and Electric Company filed an application with the Kansas Corporation Commission for a Limited Waiver of a Billing Standard Related to Registered Meter Readings.<sup>1</sup>
- 2. On August 21, 2012, the Citizens' Utility Ratepayer Board (CURB) filed a Petition to Intervene in this docket.<sup>2</sup> In its Petition, CURB stated that the rates paid and the service received by certain customers will or may be affected by any Commission order or activity in this proceeding.<sup>3</sup>
- 3. The Commission has broad discretion to grant a Petition for Intervention if it is in the interests of justice, if the intervention will not impair the orderly and prompt conduct of the proceeding, and if the party has stated facts demonstrating its legal rights, duties, privileges,

<sup>3</sup> Petition, ¶ 4.

<sup>&</sup>lt;sup>1</sup> Application, August 17, 2012.

<sup>&</sup>lt;sup>2</sup> Petition to Intervene, August 21, 2012 (Petition).

immunities, or other legal interests may be substantially affected by the proceeding.<sup>4</sup> At any time during a proceeding, the Commission may impose limitations on an intervener's participation.<sup>5</sup>

4. The Commission finds and concludes that CURB has met the requirements of K.A.R. 82-1-225 and should be granted intervention. CURB will be added to the mailing list, service of pleadings, communications, and correspondence should be delivered to counsel of record, as follows:

David Springe #15619 Niki Christopher # 19311 C. Steven Rarrick #13127 Citizens' Utility Ratepayer Board 1500 SW Arrowhead Road Topeka, Kansas 66604 (785) 271-3200 (785) 271-3116 Fax

5. In addition to the counsel of record for CURB listed above, service of electronic notices, pleadings, and correspondence should be delivered to CURB's other designees:

Shonda Smith
Office Manager
Citizens' Utility Ratepayer Board
1500 SW Arrowhead Road
Topeka, Kansas 66604
Email: sd.smith@curb.kansas.gov

Della Smith Administrative Specialist Citizens' Utility Ratepayer Board 1500 SW Arrowhead Road Topeka, Kansas 66604 Email: d.smith@curb.kansas.gov

#### IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Citizens' Utility Ratepayer Board is granted intervention in the above-captioned proceeding. Counsel of record for the petitioner, and its other designees, shall receive service of all pleadings in this matter, as set forth above.

<sup>&</sup>lt;sup>4</sup> K.S.A. 77-521 (b); K.A.R. 82-1-225(b).

<sup>&</sup>lt;sup>5</sup> K.S.A. 77-521 (c).

- B. Parties have 15 days, plus three days if service of this Order is by mail, from the date of service of this Order to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2011 Supp. 77-529(a)(1).
- C. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

#### BY THE COMMISSION IT IS SO ORDERED.

Sievers,	Chairman;	Wright,	Commissioner:	: Albrecht.	, Commissioner

Dated:	NOV	07	2012	

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Patrice Petersen-Klein Executive Director

AF/mch

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

> NO. CERT. COPIES

NO. **PLAIN COPIES** 

#### NAME AND ADDRESS

NIKI CHRISTOPHER, ATTORNEY CITIZENS' UTILITY RATEPAYER BOARD 1500 SW ARROWHEAD ROAD **TOPEKA, KS 66604** \*\*\*Hand Delivered\*\*\*

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### ORDER MAILED NOV 082012

, 20 The Docket Room hereby certified that on this day of , it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.

DATE NOV 0 7 2012

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

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NAME AND ADDRESS

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